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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,793	07/31/2006	Uwe Kark	GMH/441/PC/US	5334

2543 7590 01/09/2008  
ALIX YALE & RISTAS LLP  
750 MAIN STREET  
SUITE 1400  
HARTFORD, CT 06103

EXAMINER
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MACKEY, JAMES P

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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01/09/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/587,793	KARK, UWE	
	<b>Examiner</b>	<b>Art Unit</b>	
	James Mackey	1791	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/31/2006</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

Art Unit: 1791

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 6, "its surface" is indefinite as to exactly which structure is intended by "its". Claims 2-20 are rejected due to their dependence on indefinite claim 1.

In claim 2, line 3, "the latter" is unclear as to exactly which structure is intended.

In claim 9, "the fluid layer", "the hydrostatic bearing liquid", "the heat transfer liquid" and "its circulation" each lacks proper antecedent basis.

In claim 12, "the thin-walled drum" lacks proper antecedent basis, and "thin" is an indefinite relative term of indefinite scope.

3. Claims 1-20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The prior art of record does not teach or fairly suggest an apparatus for forming a strip in a continuous run on the surface of a rotating drum having plural predetermined stationary heating and/or cooling regions, wherein the drum is mounted on a carrier body which is heatable or coolable in the respective regions, the rotating drum being arranged heat-exchangeably in at least these regions with respect to the surface of the carrier body, as claimed in claim 1.

The closest prior art of record is considered to be Mimura et al. (U.S. Patent 5,945,042; Figure 3) which disclose a rotating forming drum having predetermined stationary heating and cooling regions utilizing stationary heat exchange manifolds 57, 58; however, Mimura et al. do

Art Unit: 1791

not teach or fairly suggest the rotating drum being mounted on a carrier body which is heatable or coolable in the respective regions, the rotating drum being arranged heat-exchangeably in at least these regions with respect to the surface of the carrier body, as claimed in claim 1.

Moreover, Battin (U.S. Patent 2,526,318) discloses a rotating forming drum having predetermined stationary heating and cooling regions; however, Battin does not teach or fairly suggest the rotating drum being mounted on a carrier body which is heatable or coolable in the respective regions, the rotating drum being arranged heat-exchangeably in at least these regions with respect to the surface of the carrier body, as claimed in claim 1.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

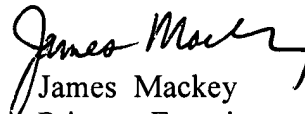
Japanese Patent Document 6-87150, Allard (U.S. Patent 4,679,287), Schonemann (U.S. Patent 4,683,628), Morel et al. (U.S. Patent 6,056,039) and Nyman et al. (U.S. Patent 6,683,284) disclose a rotating drum mounted on a stationary carrier body with a single heating or cooling region defined by heat exchange fluid in the gap between the drum and carrier body. Appenzeller et al. (U.S. Patent 4,447,940 ; Figure 2) discloses a pressure roll having a rotating outer shell mounted on a stationary carrier body with two chambers 11, 12 defined between the outer shell and the carrier body wherein pressurized fluid of different pressures may be maintained in the two chambers.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Mackey whose telephone number is 571-272-1135. The examiner can normally be reached on M-F, 8:30-5:00.

Art Unit: 1791

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta can be reached on 571-272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
James Mackey  
Primary Examiner  
Art Unit 1791

1/7/08

jpm  
January 7, 2008